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26 WEST 61ST STREET
NEW YORK, NEW YORK 10023

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OCT 31 2001

OFFICE OF PETITIONS

In re Application of :
PETER BENNETT DUFF WHYTE :
Application No. 09/702,037 : DECISION GRANTING
Filed: October 27, 2000 : STATUS UNDER 37 CFR 1.47(b)
Attorney Docket No: U 013032-6 :
:

This is in response to the petition under 37 CFR 1.47(b), filed July 2, 2001.

The petition is granted.

Petitioner has shown that the nonsigning inventor has refused to join in the filing of the above-identified application.

The above-identified application and papers have been reviewed and found in compliance with 37 CFR 1.47(b). This application is hereby accorded Rule 1.47(b) status. As provided in Rule 1.47(c), this Office will forward notice of this application's filing to the nonsigning inventor. Notice of the filing of this application will also be published in the Official Gazette.

Telephone inquiries regarding this decision should be directed to the undersigned at (703) 305-8680.

This application is being forwarded to Technology Center AU 1761 for examination in due course.

Frances Hicks
Frances Hicks

Petitions Examiner
Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy



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Peter Bennett Duff Whyte
9A Australia II Avenue
North Haven, South Australia 5018
Australia

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In re Application of
Peter Bennett Duff Whyte
Application No. 09/702,037
Filed: October 27, 2000
For: FOOD COMPOSITION AND METHOD OF USING SAME

OCT 31 2001

OFFICE OF PETITIONS

Dear Mr. Whyte:

You are named as a joint inventor in the above identified United States patent application, filed under the provisions of 35 U.S.C. 116 (United States Code), and 37 CFR 1.47(b), Rules of Practice in Patent Cases. Should a patent be granted on the application you will be designated therein as a joint inventor.

As a named inventor you are entitled to inspect any paper in the file wrapper of the application, order copies of all or any part thereof (at a prepaid cost per 37 CFR 1.19) or make your position of record in the application. Alternatively, you may arrange to do any of the preceding through a registered patent attorney or agent presenting written authorization from you. If you care to join in the application, counsel of record (see below) would presumably assist you. Joining in the application would entail the filing of an appropriate oath or declaration by you pursuant to 37 CFR 1.63.

Telephone inquiries regarding this communication should be directed to the undersigned at (703) 305-8680. Requests for information regarding your application should be directed to the File Information Unit at (703) 308-2733. Information regarding how to pay for and order a copy of the application, or a specific paper in the application, should be directed to Certification Division at (703) 308-9726 or 1 (800) 972-6382 (outside the Washington D.C. area).

Frances Hicks

Frances Hicks
Petitions Examiner
Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy

cc:

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